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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 SANTOS D. HATFIELD,

11 Plaintiff,

No. 2:11-cv-1502 KJN P

12 vs.

13 UNKNOWN,

14 Defendant.

ORDER

15 _____/
16 Plaintiff, a federal prisoner proceeding without counsel, has filed a letter
17 contending he is being denied medical treatment. The court construes this filing as a civil rights
18 complaint pursuant to 42 U.S.C. § 1983. Plaintiff has not filed an application to proceed in
19 forma pauperis or paid the filing fee. Plaintiff alleges he has exhausted his administrative
20 remedies.

21 Plaintiff claims he has a lump in his testicles which is very painful and states
22 “something is enlarged and keeps bleeding.” Plaintiff seeks referral to an outside specialist.
23 Plaintiff has not named a defendant, but is presently incarcerated in the Federal Correctional
24 Center at Lompoc, California.

25 The federal venue statute requires that a civil action, other than one based on
26 diversity jurisdiction, be brought only in “(1) a judicial district where any defendant resides, if all

1 defendants reside in the same State, (2) a judicial district in which a substantial part of the events
2 or omissions giving rise to the claim occurred, or a substantial part of property that is the subject
3 of the action is situated, or (3) a judicial district in which any defendant may be found, if there is
4 no district in which the action may otherwise be brought.” 28 U.S.C. § 1391(b).


5 In this case, plaintiff seeks medical treatment at Lompoc, and the court presumes
6 that the parties responsible for plaintiff’s medical care are also located in Lompoc. Lompoc is
7 located in Santa Barbara County, which is in the Central District of California. Therefore,
8 plaintiff’s claim should have been filed in the United States District Court for the Central District
9 of California. In the interest of justice, a federal court may transfer a complaint filed in the
10 wrong district to the correct district. See 28 U.S.C. § 1406(a); Starnes v. McGuire, 512 F.2d 918,
11 932 (D.C. Cir. 1974).

12 Accordingly, IT IS HEREBY ORDERED that:

13 1. Plaintiff has not filed a request to proceed in forma pauperis, or paid the filing
14 fee; and

15 2. This matter is transferred to the United States District Court for the Central
16 District of California.

17 DATED: June 6, 2011

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20 KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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